

EXHIBIT N

1 - RACHEL KELLY -

2 UNITED STATES DISTRICT COURT

3 SOUTHERN DISTRICT OF NEW YORK

4 -----X

5 RAFAEL FOX, ET AL.,

6 V. CIVIL CASE NO.

7 1:19-CV-04650-AJN-SN

8 STARBUCKS CORPORATION,

9 Defendant.

10 -----X

11 DATE: SEPTEMBER 2, 2020

12 TIME: 11:15 A.M.

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14 VIDEOCONFERENCE DEPOSITION OF RACHEL
15 KELLY, pursuant to Notice, before Hope Menaker, a
16 Shorthand Reporter and Notary Public of the State
17 of New York.

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2 A. I actually had a couple of different
3 locations in the Mid-Atlantic. So at different
4 points in time I oversaw Delaware, part of
5 Maryland, part of Pennsylvania and Northern
6 Virginia.

7 Q. A question about terminology. You
8 have down that for March 2012 to September 2013,
9 you were a human resources manager. Is that a
10 different department or designation than a Partner
11 Resources Manager?

12 A. It's the same position. So I was a
13 Partner Resources Manager, correct.

14 Q. At that point in time, was the
15 terminology within Starbucks Partner Resources
16 Manager?

17 A. My title was Partner Resources
18 Manager. At the time we were also referred to as
19 human resources manager, human resources business
20 partners, and that's listed on my LinkedIn as
21 human resources manager given -- that's more
22 commonly known outside of Starbucks given partners
23 the specific terminology that we use.

24 Q. You have two positions as Director of
25 Partner Resources, one from October 2017 to June

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2 that there was a wage and hour issue reported by
3 Mr. Fox?

4 MR. GRAFF: Objection.

5 A. I don't have that information. I
6 don't know when Carla was made aware.

7 Q. What is the basis for your
8 understanding that Ms. Ruffin was aware that there
9 was a wage and hour issue reported by Mr. Fox?

10 A. I don't -- I don't recall for certain
11 information around when Carla was made aware of
12 that.

13 Q. Well, sitting here today, do you
14 recall Ms. Ruffin ever reporting to you around the
15 time of Mr. Fox's termination that Mr. Fox
16 reported an alleged underpayment of wages to other
17 Starbucks employees?

18 A. No, Carla never reported it to me.

19 Q. I'm going to refer you to a line of
20 questioning by Mr. Graff regarding the discipline
21 of Starbucks employees. There is verbal and
22 written discipline, correct?

23 A. Correct.

24 Q. You are not aware of -- you as
25 partner -- sorry. You as the Director of Partner

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2 Resources for the New York Metro region was not
3 aware of every single instance of a verbal
4 discipline, correct?

5 A. That is correct.

6 Q. As the Director of Partner Resources,
7 were you aware of every single instance of a
8 written warning?

9 A. No.

10 Q. Were you expected to be aware of
11 every single instance of a verbal or written
12 warning involving a Starbucks employee?

13 A. No. No.

14 Q. Were you ever made aware of any
15 specific Starbucks employee who was found to have
16 authorized the use of Hot Shots?

17 A. No.

18 Q. Prior to this litigation, were you
19 ever made aware of any specific Starbucks
20 employees who was found to have used Hot Shots?

21 A. No.

22 Q. And to clarify, sitting here today, I
23 mean, just to clarify. At the time of Fox's
24 termination, were you aware of any reports of
25 underpayment of wages or the use of Hot Shots by

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2 Mr. Fox?

3 A. No.

4 Q. Were there any other Store Managers
5 who were under investigation by the New York City
6 Department of Consumer Affairs around the time of
7 Mr. Fox's termination?

8 MR. GRAFF: Objection.

9 A. Not that I recall.

10 Q. No further questions.

11 MR. GRAFF: I have just a couple of
12 follow-ups.

13 EXAMINATION BY MR. GRAFF:

14 Q. Ms. Kelly, is there any sort of
15 document at Starbucks like a corrective action
16 matrix or some sort of chart that describes
17 different categories of infractions and correlates
18 them to particular types of appropriate
19 discipline?

20 A. We do -- we do have what's called a
21 virtual coach, and this is a tool that you can go
22 on and work through different scenarios, and it
23 could provide a recommendation or examples; and it
24 also would outline instances where they would
25 recommend you reach out to either a local Partner